

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Agriculture and Commerce		CONTACT PERSON Paige Manning	TELEPHONE NUMBER (601)359-1163	
ADDRESS P.O.Box 1609		CITY Jackson	STATE Miss.	ZIP 39215
EMAIL palge@mdac.ms.gov	SUBMIT DATE 4-5-13	Name or number of rule(s): Revolving Fund Guidelines		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The amendment increases the credit limit for a buyer of produce under the Fruit and Vegetable Revolving Fund

Specific legal authority authorizing the promulgation of rule: Miss. Code of 1972, Sec. 69-2-13

List all rules repealed, amended, or suspended by the proposed rule: Subpart 2, Ch. 08, Sec. 105

**ORAL PROCEEDING:**

☐ An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.


**ECONOMIC IMPACT STATEMENT:**

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> _____ New rule(s) <u>  x  </u> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> <u>  x  </u> 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Paige Manning, Director of Marketing

Signature of person authorized to file rules: *Paige Manning*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <i>[Signature]</i>	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN  
*Secretary of State*

## CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Agriculture and Commerce	CONTACT PERSON Paige Manning		TELEPHONE NUMBER (601)359-1163
ADDRESS P.O. Box 1609	CITY Jackson	STATE Miss.	ZIP 39215
EMAIL paige@mdac.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Revolving Fund Guidelines		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code of 1972, Sec. 69-2-13		Reference to Rules repealed, amended or suspended by the Proposed Rule: Subpart 2, Ch. 08, Sec. 105	

### A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: This amendment should generate increased sales of produce by Mississippi farmers who participate in the Fruit and Vegetable Revolving Fund. The farmers and the buyers of their produce will benefit from this amendment.
2. Briefly describe the need for the proposed rule: Currently, the credit limit granted to buyers of produce from Mississippi farmers under the Fruit and Vegetable Revolving Fund is too low.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare: This amendment should generate increased sales of produce by Mississippi farmers who participate in the Fruit and Vegetable revolving Fund.
4. Estimated Cost of implementing proposed action:
  - a. To the agency  
☒ Nothing   ☐ Minimal   ☐ Moderate   ☐ Substantial   ☐ Excessive
  - b. To other state or local government entities  
☒ Nothing   ☐ Minimal   ☐ Moderate   ☐ Substantial   ☐ Excessive
5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
  - c. Cost:  
☒ Nothing   ☐ Minimal   ☐ Moderate   ☐ Substantial   ☐ Excessive
  - d. Economic Benefit:  
☐ Nothing   ☐ Minimal   ☐ Moderate   ☒ Substantial   ☐ Excessive
6. Estimated impact on small businesses:  
☐ Nothing   ☐ Minimal   ☐ Moderate   ☒ Substantial   ☐ Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: There are currently ten (10) farmers participating in the Revolving Fund program. All of the produce farmers in the state are subject to the program, but the number of produce farmers in the state is unknown. Buyers approved by the department are subject to the regulation; at this time there is only one buyer participating in the program, but it is not a small business.
  - b. Projected costs for small businesses to comply: Nothing
  - c. Statement of probable effect on impacted small businesses: This amendment should generate an increase in sales of produce by Mississippi farmers who participate in the Fruit and Vegetable Revolving Fund.
7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
- ☐ substantially less than    ☐ moderately less than    ☐ minimally less than  
☒ the same as    ☐ minimally more than    ☐ moderately more than  
☐ substantially more than    ☐ excessively more than
8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
- ☐ substantially less than    ☐ moderately less than    ☐ minimally less than  
☐ the same as    ☐ minimally more than    ☐ moderately more than  
☒ substantially more than    ☐ excessively more than

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**B. Reasonable Alternative Methods**

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1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?  
☐ yes    ☒ no
2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

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**C. Data and Methodology**

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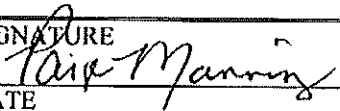
1. Please briefly describe the data and methodology you used in making the estimates required by this form. No data was consulted. Methodology was common sense.

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**D. Public Notice**

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1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? Comments should be submitted to Paige Manning, Director of Marketing at the Department's address stated in the notice of filing.

SIGNATURE 	TITLE Director of Marketing
DATE 4-5-13	PROPOSED EFFECTIVE DATE OF RULE 5-30-13